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DATE FILED: <u>6/2/23</u>

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES OF AMERICA

**FINAL ORDER OF FORFEITURE**

-v.-

10 Cr. 753 (KMW)

YONNI SEBBAG,  
a/k/a "Jonathan Cyrus,"

Defendant.

X

WHEREAS, on or about March 2, 2023, this Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the "Substitute Assets Order") (D.E. 36), which ordered the forfeiture to the United States of all right, title and interest of YONNI SEBBAG, a/k/a "Jonathan Cyrus." (the "Defendant") in the following property:

- i. \$1,600.00 in United States currency seized by the Government on or about May 26, 200 from a residence in Los Angeles, California at the time of the Defendant's arrest;

(the "Substitute Asset");

WHEREAS, the Substitute Assets Order directed the United States to publish, for at least thirty (30) consecutive days, notice of the Substitute Assets Order, notice of the United States' intent to dispose of the Substitute Asset, and the requirement that any person asserting a legal interest in the Substitute Asset must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Substitute Asset and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Substitute Asset before the United States can have clear title to the Substitute Asset;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Substitute Asset was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) beginning on March 25, 2023, for thirty (30) consecutive days, through April 23, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on May 26, 2023 (D.E. 39);

WHEREAS, on or about March 3, 2023, notice of the Substitute Assets Order was sent by certified mail, return receipt requested, to the Defendant;

WHEREAS, thirty (30) days have expired since final publication of the Notice of Forfeiture and no petitions or claims to contest the forfeiture of the Substitute Asset have been filed;

WHEREAS, the Defendant is the only person and/or entity known by the Government to have a potential interest the Substitute Asset;

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Substitute Asset is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.
2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Substitute Asset.
3. The United States Marshals Service (or its designee) shall take possession of the Substitute Asset and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York  
Jun 2, 2023

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE KIMBA M. WOOD  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA  
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- v. - : DECLARATION OF PUBLICATION  
:  
YONNI SEBBAG, : 10 Cr. 753 (KMW)  
a/k/a "Jonathan Cyrus," :  
Defendant. :  
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I, Tara La Morte, pursuant to Title 28, United States Code, Section 1746, hereby declare under penalty of perjury that:

1. I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and
2. Attached to this declaration are (A) a true and correct copy of a notice of criminal forfeiture in this action, and (B) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on March 25, 2023 through April 23, 2023 as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and

Both documents were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York  
May 26, 2023



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Tara La Morte  
Assistant United States Attorney  
Tel: (212) 637-1041

Attachment 1

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
COURT CASE NUMBER: 10 CR. 753 (KMW); NOTICE OF FORFEITURE

Notice is hereby given that on March 02, 2023, in the case of U.S. v. Yonni Sebbag, Court Case Number 10 CR. 753 (KMW), the United States District Court for the Southern District of New York entered an Order condemning and forfeiting the following property to the United States of America:

\$1,600.00 in United States currency seized by the Government on or about May 26, 2010 from a residence in Los Angeles, California at the time of the defendant's arrest (10-FBI-008053)

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file an ancillary petition within 60 days of the first date of publication (March 25, 2023) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The ancillary petition must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and a copy served upon Assistant United States Attorney Tara LaMorte, One St. Andrew's Plaza, New York, NY 10007. The ancillary petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all ancillary petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such ancillary petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition for remission need not be made in any particular form and may be filed online or in writing. You should file a petition for remission not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm>

website provides access to a standard petition for remission form that may be mailed and the link to file a petition for remission online. If you cannot find the desired assets online, you must file your petition for remission in writing by sending it to Assistant United States Attorney Tara LaMorte, One St. Andrew's Plaza, New York, NY 10007. This website provides answers to frequently asked questions (FAQs) about filing a petition for remission. You may file both an ancillary petition with the court and a petition for remission or mitigation.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between March 25, 2023 and April 23, 2023. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Yonni Sebbag

Court Case No: 10 CR. 753 (KMW)  
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	03/25/2023	24.0	Verified
2	03/26/2023	24.0	Verified
3	03/27/2023	23.9	Verified
4	03/28/2023	24.0	Verified
5	03/29/2023	24.0	Verified
6	03/30/2023	23.9	Verified
7	03/31/2023	23.9	Verified
8	04/01/2023	23.9	Verified
9	04/02/2023	23.9	Verified
10	04/03/2023	23.9	Verified
11	04/04/2023	23.9	Verified
12	04/05/2023	24.0	Verified
13	04/06/2023	23.9	Verified
14	04/07/2023	23.9	Verified
15	04/08/2023	23.8	Verified
16	04/09/2023	23.9	Verified
17	04/10/2023	23.9	Verified
18	04/11/2023	23.9	Verified
19	04/12/2023	23.8	Verified
20	04/13/2023	23.9	Verified
21	04/14/2023	23.9	Verified
22	04/15/2023	23.9	Verified
23	04/16/2023	23.9	Verified
24	04/17/2023	24.0	Verified
25	04/18/2023	24.0	Verified
26	04/19/2023	23.9	Verified
27	04/20/2023	24.0	Verified
28	04/21/2023	23.9	Verified
29	04/22/2023	23.9	Verified
30	04/23/2023	23.9	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
:  
-v.- : DECLARATION IN SUPPORT  
:  
YONNI SEBBAG, : OF FINAL ORDER OF  
a/k/a "Jonathan Cyrus," : FORFEITURE  
:  
Defendant. : 10 Cr. 753 (KMW)  
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Tara La Morte, pursuant to Title 28, United State Code, Section 1746, declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York, and attorney for the Government herein. I have become responsible for the above-captioned matter, and as such, I have become familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of the Government's submission for the entry of a Final Order of Forfeiture in the above-captioned case.

2. On or about March 3, 2023, the Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the "Substitute Assets Order") (D.E. 36) with respect to YONNI SEBBAG, a/k/a "Jonathan Cyrus," (the "Defendant"), forfeiting to the United States all right, title and interest of the Defendant in the following property:

a. \$1,600.00 in United States currency seized by the Government on or about May 26, 2010 from a residence in Los Angeles, California at the time of the Defendant's arrest;

(the "Substitute Asset").

3. The Notice of Forfeiture and the intent of the Government to dispose of the Specific Property was posted on an official government internet site (www.forfeiture.gov) beginning on March 25, 2023 for thirty (30) consecutive days, through April 23, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court on May 26, 2023 (D.E. 39).

4. Since final publication of the Notice of Forfeiture, thirty (30) days have expired and no petitions or claims to contest the forfeiture of the Specific Property have been filed.

5. The Defendant is the only person and/or entity known by the Government to have a potential interest in the Specific Property.

6. Accordingly, the Government requests that the Court enter the proposed Final Order of Forfeiture.

7. No previous application for the relief requested herein has been sought.

Dated: New York, New York  
May 26, 2023

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

  
\_\_\_\_\_  
Tara La Morte  
Assistant United States Attorney  
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